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RESTORE ROBOTICS LLC

**UNITED STATES DISTRICT COURT**  
**FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

SURGICAL INSTRUMENT SERVICE  
COMPANY, INC.,

Plaintiff/  
Counterclaim-Defendant

vs.

INTUITIVE SURGICAL, INC.,

Defendant/  
Counterclaim-Plaintiff.

Lead Case No. 3:21-CV-03496-AMO  
Hon. Araceli Martínez-Olguín  
Courtroom 10

**DECLARATION OF CLIFTON  
PARKER IN RESPONSE TO  
ADMINISTRATIVE MOTION TO  
CONSIDER WHETHER  
ANOTHER PARTY'S  
MATERIALS SHOULD BE  
SEALED – RESTORE  
ROBOTICS (ECF No. 153)**

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1 I, Clifton Parker, declare as follows:

2 1. I am over the age of eighteen years old and am the chief executive  
3 officer for non-party Restore Robotics LLC and its successor Restore Robotics  
4 Repairs LLC (collectively “Restore”). Restore is a small private company in the  
5 business of reselling, repairing, and remanufacturing EndoWrists for use with the  
6 da Vinci Surgical System. Restore has settled its own legal dispute with Intuitive  
7 and has no interest in the cases pending in this district. Unless otherwise indicated,  
8 I state the following of my own personal knowledge and, if called upon to do so, I  
9 could and would testify competently to the following.

10 2. Pursuant to Civil Local Rules 7-11 and 79-5(f), Restore submits this  
11 declaration in response to Plaintiff’s ADMINISTRATIVE MOTION TO  
12 CONSIDER WHETHER ANOTHER PARTY’S MATERIALS SHOULD BE  
13 SEALED – RESTORE ROBOTICS (ECF No. 153). Based on my review of the  
14 materials provided by Plaintiff, I understand that the instant motion includes  
15 confidential information that is the subject of multiple administrative motions filed  
16 previously by the parties. I hereby reference and incorporate the prior declarations  
17 filed in response to those motions. Restore maintains that there are compelling  
18 reasons for maintaining the confidentiality of that information.

19 3. Restore has also completed a review of the redactions in the instant  
20 motion and asks the Court to permit the limited redactions to Restore’s  
21 competitively sensitive information because publication would reveal its business  
22 plans, research processes, product development, production methods, regulatory  
23 strategies, and internal finances. Consistent with industry practice, Restore has  
24 always maintained its competitively sensitive information within a closely held  
25 group of individuals on a need-to-know basis. Restore has invested significant  
26 manpower and monetary investment in developing its business, including research  
27 processes, production methods, testing protocols, and regulatory strategies and  
28 customer, vendor, distributor, and partner relationships. Disclosure would give

substantial assistance to potential competitors – allowing them to avoid potentially years of time and millions of dollars required to their launch their own business to compete with Restore. Thus, there are compelling reasons for maintaining the confidentiality of that information with the very limited redactions identified in the table below.


Expert Report of Kurt Humphrey Pages 13-14	Business Plans Research Processes
Expert Report of Dr. T. Kim Parnell (March 1, 2023) Pages 110-111 Restore-00086093 – Restore-00086120	Testing Protocols Production Methods 510(k) Submission Regulatory Strategy <b>* See ECF No. 140 at 6 and ECF No. 140-2.</b>
Expert Report of Dr. T. Kim Parnell (March 1, 2023) Page 112	Production Methods
Deposition of Clifton Parker (October 25, 2022) Pages 141-142	Business Plans Research Process Product Development

Deposition of Kevin May (November 3, 2022) Page 60	Business Plans
Deposition of Kevin May (November 3, 2022) Pages 75-76	Business Plans Internal Finances
Deposition of Kevin May (November 3, 2022) Pages 89-90	Business Plans Research Process Product Development
Deposition of Kevin May (November 3, 2022) Pages 89-90	Business Plans Research Process Product Development

4. Restore has not disclosed the documents and information above to any third party because it would allow competitors to make use of Restore's extensive efforts to resell, repair, and remanufacture EndoWrists. Disclosure would provide competitors with a significant head start in their own efforts. Moreover, disclosure of some information would reveal internal finances of a private company that have no bearing on the litigation.

1 I declare under penalty of perjury under the laws of the United States of  
2 America that the foregoing is true and correct.

3  
4 Executed: May 11, 2023

  
\_\_\_\_\_  
Clifton Parker

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